

§ 170.4

security initiatives, as determined by the NRC. Examples of special projects include, but are not limited to, contested hearings on licensing actions directly related to Presidentially-directed national security programs, topical report reviews, early site reviews, waste solidification facilities, route approvals for shipment of radioactive materials, services provided to certify licensee, vendor, or other private industry personnel as instructors for part 55 reactor operators, reviews of financial assurance submittals that do not require a license amendment, reviews of responses to Confirmatory Action Letters, reviews of uranium recovery licensees' land-use survey reports, and reviews of 10 CFR 50.71 final safety analysis reports. Special Projects does not include those contested hearings for which a fee exemption is granted in § 170.11(a)(2), including those related to individual plant security modifications.

Testing facility means a nuclear reactor licensed by the Commission under the authority of subsection 104c of the Act and pursuant to the provisions of § 50.21(c) of this chapter for operation at:

- (1) A thermal power level in excess of 10 megawatts; or
- (2) A thermal power level in excess of 1 megawatt, if the reactor is to contain:
 - (i) A circulating loop through the core in which the applicant proposes to conduct fuel experiments; or
 - (ii) A liquid fuel loading; or
 - (iii) An experimental facility in the core in excess of 16 square inches in cross-section.

Uranium enrichment facility means:

- (1) Any facility used for separating the isotopes of uranium or enriching uranium in the isotope 235, except laboratory scale facilities designed or used for experimental or analytical purposes only; or
- (2) Any equipment or device, or important component part especially designed for this equipment or device, capable of separating the isotopes of uranium or enriching uranium in the isotope 235.

Utilization facility means any nuclear reactor other than one designed or used primarily for the formation of pluto-

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onium or U²³⁵ and any other equipment or device determined by rule of the Commission to be a utilization facility within the purview of subsection 11cc of the Act.

[33 FR 10924, Aug. 1, 1968, as amended at 36 FR 146, Jan. 6, 1971; 38 FR 30254, Nov. 2, 1973; 40 FR 8794, Mar. 3, 1975; 43 FR 7218, Feb. 21, 1978; 46 FR 58284, Dec. 1, 1981; 49 FR 21302, May 21, 1984; 54 FR 15399, Apr. 18, 1989; 55 FR 21179, May 23, 1990; 56 FR 31499, July 10, 1991; 57 FR 18394, Apr. 30, 1992; 57 FR 32707, July 23, 1992; 58 FR 38690, July 20, 1993; 59 FR 36917, July 20, 1994; 64 FR 31469, June 10, 1999; 66 FR 32469, June 14, 2001; 67 FR 42629, June 24, 2002; 67 FR 64036, Oct. 17, 2002]

§ 170.4 Interpretations.

Except as specifically authorized by the Commission in writing, no interpretation of the meaning of the regulations in this part by an officer or employee of the Commission other than a written interpretation by the General Counsel will be recognized to be binding upon the Commission.

§ 170.5 Communications.

All communications concerning the regulations in this part should be addressed to the NRC's Chief Financial Officer, either by mail to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; by hand delivery to the NRC's offices at 11555 Rockville Pike, Rockville, Maryland; or, where practicable, by electronic submission, for example, via Electronic Information Exchange, or CD-ROM. Electronic submissions must be made in a manner that enables the NRC to receive, read, authenticate, distribute, and archive the submission, and process and retrieve it a single page at a time. Detailed guidance on making electronic submissions can be obtained by visiting the NRC's Web site at <http://www.nrc.gov/site-help/eie.html>, by calling (301) 415-6030, by e-mail to EIE@nrc.gov, or by writing the Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. The guidance discusses, among other topics, the formats the NRC can accept, the use of electronic signatures, and the treatment of nonpublic information.

[68 FR 58825, October 10, 2003]